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C O R R E C T E D C O P Y (CONFIDENTIAL)

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SUBJECT: HUMAN RIGHTS WATCH CRITICIZES SOUTH AFRICA'S
FOREIGN POLICY

REF: CLASSIFIED BY POLITICAL COUNSELOR RAYMOND L.
BROWN. REASONS 1.4(B) AND (D).

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11. (C) SUMMARY. On 24 June, the Institute for Security Studies hosted a debate on the role of human rights in South Africa's foreign policy under newly elected President Jacob Zuma. Keynote speakers included Ken Roth, Executive Director of Human Rights Watch in New York, who described South Africa's foreign policy under Mbeki as hypocritical and retrograde, and Dr. Siphamandla Zondi of the Institute for Global Dialogue (IGD), who argued that South Africa's policies have been consistent, misunderstood, and no more hypocritical than those of any other Western nation. The debate ended with Zondi's prognostication that any foreign policy the Zuma administration pursues will have to first and foremost benefit South Africa domestically. In the process, Zondi dismissed Roth's hope that South Africa regain its former reputation as a global human rights champion. END SUMMARY.

12. (C) On 24 June, the Institute for Security Studies (ISS) hosted a seminar to discuss South Africa's past and future emphasis on human rights in its foreign policy. Ken Roth, Executive Director of Human Rights Watch in New York, reflected on what he considers South Africa's tarnished reputation when it comes to human rights, while Dr. Siphamandla Zondi of the Institute for Global Dialogue (IGD) argued that South Africa's principle-based foreign policies have gotten them nowhere and that foreign policy under Zuma will seek to bring home tangible benefits to South Africans first and promote ANC ideology second.

SOUTH AFRICA'S MORAL HIGH GROUND LOST

13. (C) Roth was highly critical of South Africa's foreign policy over the past decade, squarely laying the blame on former President Mbeki's feet for squandering South Africa's greatest asset, which was its ability to appeal to others from a moral high ground. Mbeki, he said, will be best known in the human rights community for "cozying up" to Mugabe and to a lesser extent for his denialist views on HIV/AIDS. Roth did give some credit to Mbeki for his desire to level the international playing field, but believes his goal, however laudable, was overshadowed by his refusal to acknowledge human rights abuses around the world.

14. (C) Roth also spoke at length about what he considers

South Africa's disastrous two-year rotation on the United Nations Security Council (UNSC) from 2006 to 2008, calling its positions on certain issues "retrograde." Roth said, "It was as if the 1990's never happened; South Africa used arguments that even Russia and China won't use anymore and that is that human rights are not a security issue and thus do not belong in the UNSC." As a result, he said the human rights community, which had such high hopes for South Africa, now considers South Africa a huge disappointment and no longer an ally. South Africa, he said, has morphed into a version of every other country on the council, including the US, with contradictory and hypocritical foreign policy goals.

BUT NOT ALL LOST

15. (C) Roth argued that South Africa's domestic human rights record is something to be proud of and that international record is something to be proud of and that international policies have not been all bad. He gave Mbeki credit for his work in conflict resolution and peacekeeping efforts on the continent, including mediation efforts in Burundi and the Democratic Republic of Congo. South Africa's role in encouraging 30 African countries to sign up to the International Criminal Court was also monumental, he said, as was South Africa's influence in getting the African Union to officially reject anyone on the continent who comes to power through a coup.

MBEKI PERSONIFIED FOREIGN POLICY, NOT DEFINED IT

16. (C) According to Dr. Zondi, however, Mbeki should not be made the scapegoat for South Africa's foreign policies since

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Mbeki did not make foreign policy in a vacuum, but rather articulated the ANC's foreign policy. Using this logic, he argued that Zuma's presidency will not necessarily lead to a sea change in foreign policy direction. As examples, Zondi noted that the ruling ANC party--not Mbeki--has never been willing to name and shame, always sought greater South-South cooperation, and always had an unwavering faith in the belief that diplomacy can solve the world's problems. In this vein, ANC foreign policy has had some continuity since Mandela was President. Zondi argued that people have been blinded to this fact because they see Mandela as a messiah and Mbeki as the devil. He went on to say that the departure from making human rights South Africa's number one foreign policy priority began under Mandela when he chose to support China over Taiwan and Indonesia over East Timor.

SOUTH AFRICAN FOREIGN POLICY GOES DOMESTIC

17. (C) Zondi believes South Africa's foreign policy under Zuma will be driven by three factors. First, the ANC is under pressure to show domestic dividends from foreign policy. Zondi noted that 15 years after apartheid, people are still languishing in poverty and asking why their lives are not better. An unnamed Department of International Relations and Cooperation (DICO) official echoed this comment from the audience, saying, "The international beauty of South Africa's transition is lost on the average South African." Zondi complained that countries with worse human rights records like Angola receive more international assistance and more foreign direct investment than South Africa. Second, the ANC still believes that the world's power is unbalanced and needs to be redistributed. Zondi added that Western nations often use human rights as a romantic notion to cover up their own self-interests and South Africa is criticized for pointing this out. Third, the ANC feels an obligation

to help other African countries. Underlying all of these demands is South Africa's unwillingness to act alone after South Africa was ostracized by other African nations for criticizing former Nigerian President Abacha in 1995. Zondi believes that while on the UNSC, South Africa learned valuable lessons, namely that it cannot change the world, that it should not take any country's support for granted, and that politics is dirty. Zondi added that South Africa got into the UNSC boxing ring with the US and UK and was surprised when it was hit in the face.

LOOKING AHEAD: BRIGHT SPOTS OR ONE-OFFS?

18. (C) Roth believes that he has already seen some subtle differences in South Africa's foreign policy under Zuma:

-- Pretoria reversed its original decision under interim President Motlanthe not to grant the Dalai Lama a visa;

-- Pretoria objected to the arrest of Burmese opposition leader Aung San Suu Kyi, with Deputy Foreign Minister Ebrahim Ebrahim going so far as to offer to send a delegation to facilitate negotiations;

-- Pretoria expressed concern about potential human rights abuses by the Sri Lankan government, but Roth noted that when it really mattered at the UN Human Rights Council (UNHRC), it really mattered at the UN Human Rights Council (UNHRC), Pretoria's "final delivery lacked" when it voted for a watered down resolution;

-- Zuma appeared willing to stand by South Africa's legal obligations as a member of the Rome Statute by warning Sudanese President Bashir that he would be arrested if he came to Pretoria for Zuma's inauguration. Roth noted that this is in sharp contrast to Mbeki, who argued for an Article 16 deferral to put off Bashir's prosecution for another year. (COMMENT: In fact, the Zuma administration does not want Bashir arrested either and has argued Bashir's arrest would not lead to a solution to the political crisis in Sudan. END COMMENT)

-- South Africa showed a level of leadership at the African Union not seen under Mbeki when South Africa worked the corridors and invoked a simple procedural rule at a recent AU meeting that prevented non-member states pushing for a

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rejection of the Bashir indictment.

19. (C) Roth, however, noted that Zimbabwe appears to be a mixed bag. Zuma has publicly stated that some leaders should not stay on forever, with many believing that he was referring to Zimbabwean President Mugabe. Additionally, South Africa has relaxed visa requirements for Zimbabweans. However, Roth noted the idea of amnesty is "ludicrous," especially in the case of Zimbabwe where Mugabe is not honestly implementing the Global Political Agreement, Prime Minister Tsvangirai is a figurehead, and security forces are still committing abuses. More disturbing, the lack of progress in Zimbabwe is not on SADC's agenda, which is chaired by South Africa.

CHALLENGES AHEAD

10. (C) As for foreign policy challenges ahead of South Africa, Roth listed Somalia and the threat of international prosecutions, security in eastern Congo, and ongoing conflict in Darfur. Roth remarked that South Africa needs to change its policy of supporting a deferral for Bashir, and Zimbabwe, which needs to be pushed toward a genuine sharing of power,

an equal share of policymaking, and respect for human rights.

Roth also hopes that South Africa will be willing to play a more constructive role at the UNHRC, but more specifically by replacing Egypt and Algeria as leaders of the African bloc.

¶11. (C) Zondi believes South Africa needs to balance pragmatism, human rights, democracy, good governance, and realpolitik -- i.e., driven by South Africa's national interests. More specifically, he believes first that South Africa should try to draw concessions from superpowers, not change them. Second, South Africa should place a greater emphasis on diplomacy, collectives, and multilateral fora. Third, South Africa should give greater attention to human rights but not blindly, adding that public and economic diplomacy should be equally considered. Fourth, South Africa should pursue restorative justice, not punitive justice unless for peace, i.e. South Africa should push for more truth and reconciliation commissions, amnesties, and other conditions that lead to durable peace. (NOTE: Roth took great exception to Zondi's suggestions, noting that the world has moved beyond TRCs and that no dictator has ever stepped down when offered amnesty. Dictators step down, he said, only after they lose the capacity to rule. The more regularized justice is applied, the more effective it will be. END NOTE)

COMMENT

¶12. (C) The ANC's foreign policy ideology, namely loyalty to other liberation movements, desire to be viewed as an African brother rather than regional hegemon, commitment to decision-making by consensus in multilateral fora, and South-South cooperation, have not changed. Most or all of these goals, however, at some point have naturally come into conflict with the agendas of international human rights activists, especially the goal of promoting African solidarity which has at times come at the expense of human rights and accountability. Moreover, the ANC and Zuma are facing a dissatisfied public that is calling for tangible government benefits in the form of jobs, houses, and improved social services, not improving other countries' human rights records. Given that there is little public engagement on Qrecords. Given that there is little public engagement on Pretoria's foreign policy stances, much less its positions on human rights, Zuma and the ANC are not likely to face any significant domestic pressure -- outside of opposition denunciation, editorials, op-eds, and NGO critiques -- to change these stances either. As a result, South Africa is likely scale back some of its activities in the foreign policy arena, but this does not necessarily preclude new doors from opening for the USG to pursue mutually beneficial goals.

LA LIME